

United States District Court
Middle District of Florida
Jacksonville Division

MINNIE L. WESLEY,

Plaintiff,

v.

No. 3:19-cv-814-J-34PDB

PREFERRED REALTY AND MGT., LLC.,
& DRONE TECHNOLOGIES, INC.

Defendants.

Order

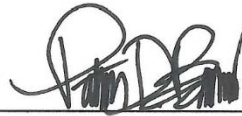
Before the Court is the plaintiff's motion to compel discovery responses from Drone Technologies, Inc. Doc. 22. Drone has not responded to the motion, and the time for doing so has passed.

Federal Rule of Civil Procedure 37(a) provides that a party may move for an order compelling disclosure or discovery. If a court grants a motion to compel discovery, or discovery is provided after its filing, "the court must, after giving an opportunity to be heard, require the party ... whose conduct necessitated the motion, the party or attorney advising that conduct, or both to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees." Fed. R. Civ. P. 37(a)(5)(A). "But the court must not order this payment if: (i) the movant filed the motion before attempting in good faith to obtain the disclosure or discovery without court action; (ii) the opposing party's nondisclosure, response, or objection was substantially justified; or (iii) other circumstances make an award of expenses unjust." Fed. R. Civ. P. 37(a)(5)(A)(i-iii). Nondisclosure, a response, or an objection is substantially justified if reasonable people could differ on its appropriateness. *Maddow v. Procter & Gamble Co., Inc.*, 107 F.3d 846, 853 (11th Cir. 1997).

The plaintiff's counsel attempted to confer with Drone's counsel in a good faith effort to resolve the dispute to no avail. [Doc. 22 at 2–3](#), 21.

Having received no response in opposition, the Court **grants** the motion to compel, [Doc. 22](#). By **May 8, 2020**, Drone must serve full and complete responses to the outstanding discovery requests and show cause why the Court should not award the plaintiff reasonable expenses, including attorney's fees.

Ordered in Jacksonville, Florida, on April 21, 2020.



PATRICIA D. BARKSDALE
United States Magistrate Judge

c: Counsel of record